



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1629

registration; verification; images; audits; boxes

Purpose

Outlines requirements for election integrity audits by the Office of the Auditor General (OAG), the posting of digital ballot images, registration of voter registration collectors with the Secretary of State (SOS), voter list maintenance procedures, signature verification training and testing, ballot drop boxes and hand count audits. Appropriates \$_____ from the state General Fund (state GF) in FY 2023 to the SOS to create and maintain a ballot image portal.

Background

The OAG is charged with several powers and duties, including: 1) preparing an audit plan for approval by Joint Legislative Audit Committee (JLAC); 2) conducting audits relating to the finances and performance of state agencies, government functions and school districts; 3) performing performance audits, special audits and investigations of state agencies as requested by JLAC; and 4) reporting the results of each audit, investigation or review to JLAC ([A.R.S. § 41-1279.03](#)).

The officer in charge of elections must ensure that electronic or digital ballot images are protected from physical or electronic access, including unauthorized copying or transferring, and that all security measures are at least as protective as those for paper ballots ([A.R.S. § 16-625](#)).

A county recorder must authorize persons to accept registration forms, designate place for receipt of registration forms and designate additional locations for distribution of voter registration forms. Public assistance agencies and disabilities agencies must return or mail completed voter registrations to the county recorder or the applicable county within five days of receipt of registrations ([A.R.S. § 16-134](#)).

The county officer in charge of elections must conduct a hand count audit for each countywide primary, special, general and presidential preference election. The county chair of each political party must designate and provide the number of election board members designated by the county officer in charge of elections who perform the hand count under the supervision of the county officer in charge of elections. The county chair must designate at least two election board workers for each precinct that is to be audited and provide the persons' names to the county recorder or officer in charge of elections by 5:00 p.m. on the Tuesday before the election. ([A.R.S. § 16-602](#)).

S.B. 1629 appropriates \$_____ from the state GF in FY 2023 to the SOS.

Provisions

Digital Ballot Images

1. Requires an officer in charge of elections to ensure that electronic data from and electronic and digital images of ballots are secured in the county treasurer's facility, rather than protected from physical and electronic access in a manner that is at least as protective as for paper ballots.
2. Requires an officer in charge of elections, for any primary, general or special election for which there is a federal race on the ballot and within 48 hours after delivery of the official canvass, to make an online digital copy of ballot images available to the public by way of a central database.
3. Requires online digital copies of ballots to:
 - a) include the copies of the ballots that were tabulated and that correspond with the final results included in the official canvass;
 - b) be searchable by precinct;
 - c) remain available online for 24 months; and
 - d) prevent any liability for the county or SOS for any personal identifying information, handwritten statements or other notations made or provided by the voter that are included on ballot images.
4. Allows any person to view or print one or more online digital copies of ballot images.
5. Prohibits any person from destroying, degrading or otherwise altering an image in the central database of online digital copies of ballots.

Election Integrity Audits

6. Requires the OAG to establish an audit team to perform election integrity audits of county recorders' offices and county elections departments.
7. Requires the OAG, each election cycle, to randomly choose two counties with a population of fewer than 1,000,000 persons and perform an election integrity audit and requires the OAG to examine:
 - a) voter registration maintenance, maintenance of voter registration rolls and maintenance of the Active Early Voting List (AEVL);
 - b) early ballot processing and signature verification processing, including the separation of early ballots into batches or other groupings, ballot drop box security and early ballot election processing boards;
 - c) tabulation of ballots, including ballot adjudication and duplication, security issues while tabulating and logic and accuracy testing and administration; and
 - d) polling place administration, voting center administration, central counting center administration and chain of custody of ballots, equipment and removable storage devices.

8. Requires the OAG, each election cycle, to perform an election integrity audit of each county with a population of 1,000,000 or more persons and requires one of the following topics to be examined on a rotating basis:
 - a) voter registration maintenance, maintenance of voter registration rolls and maintenance of the AEVL;
 - b) early ballot processing and signature verification processing, including the separation of early ballots into batches or other groupings, ballot drop box security and early ballot election processing boards;
 - c) tabulation of ballots, including ballot adjudication and duplication, security issues while tabulating and logic and accuracy testing and administration; or
 - d) polling place administration, voting center administration, central counting center administration and chain of custody of ballots, equipment and removable storage devices.
9. Allows the OAG to make recommendations to counties, the SOS and the Legislature to address findings identified in election integrity audits.
10. Requires a county subject to an election integrity audit to notify the OAG in writing whether the county will implement election integrity audit recommendations, implement modifications to the recommendations or refuse to implement the recommendations.
11. Requires a county to submit written status reports on the implementation of election integrity audit recommendations at the request of the OAG within the two-year period following the issuance of the election integrity audit.
12. Requires the OAG to review a county's progress toward implementing election integrity audit recommendations for up to two years.
13. Allows the OAG to review a county's progress towards implementing election integrity audit recommendations that have not yet been implemented beyond the two-year period.
14. Requires the OAG to report any election integrity audit findings and recommendations and the status of a county's progress towards implementation to the President of the Senate, Speaker of the House of Representatives, JLAC, the Governor, SOS and AG.
15. Requires a county subject to an election integrity audit to:
 - a) post the election integrity audit report and implementation status report on the county website; and
 - b) participate in any hearing related to the election integrity audit scheduled by JLAC or any other legislative committee designated by JLAC.
16. Appropriates \$_____ from the state GF in FY 2023 to the SOS to create and maintain a ballot image portal and exempts the appropriation from lapsing.
17. Repeals statutory authorization for election integrity audits on January 1, 2030.

Voter Registration List Maintenance

18. Requires, rather than allows, a county recorder to use the National Change of Address (NCOA) information provided by the U.S. Postal Service (USPS) to identify registrants whose address may have changed.
19. Requires the NCOA registrant check to occur on the first day of each month, rather than requiring a county recorder that opts to perform an NCOA registrant check to do so by May 1 of the year preceding a state primary or general election or more frequently as deemed necessary.
20. Requires a registrant to provide, rather than allowing a county recorder to require a registrant to provide, affirmation or confirmation of the registrant's address in order to vote if an NCOA registrant check indicates that the registrant has moved to a different residence address in the same county.
21. Requires a county recorder, if the USPS designates an elector as having a temporary or permanent forwarding address, to send notice to the elector at the forwarding address specifying that:
 - a) voting materials cannot be forwarded to that address;
 - b) the elector must update the elector's voter registration information if the elector wishes to receive voting materials at the temporary or permanent forwarding address; and
 - c) if the forwarding address is a permanent change of residence, the elector must reregister to vote at the new address.

Signature Verification Training and Testing

22. Requires the SOS to establish and administer training for signature verification as a separate course of instruction and a signature verification test for election officers whose duties include verifying signatures on early ballots.
23. Requires the signature verification training to be based on the forensic handwriting verification guidelines established by the Federal Bureau of Investigation.
24. Allows the separate course of instruction for signature verification to be provided as part of the training for election officer's certification.

Ballot Drop Boxes

25. Allows a county recorder or other officer in charge of elections to establish one or more ballot drop boxes and requires a county board of supervisors to approve all ballot drop box locations.
26. Requires ballot drop boxes to:
 - a) be placed in a secure location;
 - b) be clearly and visibly marked as an official drop box;
 - c) have an opening to deposit ballots that is not large enough to allow deposited ballots to be removed through the opening;

- d) be inspected before use to ensure the drop boxes are empty and undamaged; and
 - e) be locked and made unavailable after the polls have closed on election day, except for persons who are waiting in line to deliver ballots when the polls close.
27. Prohibits ballot drop boxes from being available to the public more than 27 days before the election to ensure that ballots or any other materials are not deposited before the early voting period begins.
28. Asserts that ballot drop boxes that are continuously monitored by an employee or designee of a county recorder or other officer in charge of elections are not required to be a permanent fixture.
29. Requires continuously monitored ballot drop boxes to be secured by lock or seal.
30. Requires outdoor ballot drop boxes that are not continuously monitored by an employee or designee of a county recorder or other officer in charge of elections to be:
- a) securely fastened in a manner to prevent moving or tampering;
 - b) secured by a lock;
 - c) compliant with the Americans with Disabilities Act;
 - d) sufficiently lit for use; and
 - e) on camera, if practicable.
31. Requires indoor ballot drop boxes that are not continuously monitored by an employee or designee of a county recorder or other officer in charge of elections to be secured in a manner that prevents unauthorized removal and be secured by a lock.
32. Restricts access to remove deposited ballots from a ballot drop box to only an employee or designee of a county recorder or other officer in charge of elections.
33. Requires a county recorder or other officer in charge of elections to:
- a) publicly post a list of all designated ballot drop boxes on the county's website; and
 - b) establish teams of at least two county employees or designees who are assigned to retrieve voted ballots from ballot drop boxes.
34. Requires a county recorder or other officer in charge of elections to develop and implement secure ballot retrieval and chain of custody procedures, including requirements that:
- a) a ballot retriever team include persons who are not registered with the same political party;
 - b) each designated ballot retriever wear a badge or similar identification that readily identifies the person as a designated ballot retriever or other employee of a county recorder or other officer in charge of elections;
 - c) each ballot retriever team complete a chain of custody form as prescribed in the Elections Procedures Manual (EPM);
 - d) designated ballot retrievers collect voted ballots and transport them in a secure ballot transfer container;
 - e) the county recorder or other officer in charge of elections or a designee inspect a secure ballot transfer container for evidence of tampering and confirm receipt of the retrieved ballots by signing a chain of custody form and note any evidence of tampering;

- f) the completed chain of custody form be maintained in a manner prescribed by the county recorder or other officer in charge of elections; and
- g) ballots retrieved from a ballot drop box be processed in the same manner as early ballots that are delivered by hand, dropped off at a voting center or received by the USPS or any other mail delivery service.

Auditor General

- 35. Requires the OAG to conduct annual, rather than biennial, financial and compliance audits of financial transactions and accounts kept by state agencies subject to federal single-audit requirements.
- 36. Requires school districts to submit a written status report on the implementation of OAG performance audit recommendations upon request of the OAG, rather than every six months within the two-year period following the audit.
- 37. Requires the recipient of a transportation excise tax, in addition to the Arizona Department of Transportation (ADOT), to:
 - a) cooperate with and provide necessary information to the OAG; and
 - b) reimburse the OAG for the cost of conducting studies or hiring a consultant to conduct studies relating to county transportation excise tax monies.
- 38. Grants the OAG, in the performance of official duties, access to employees of state agencies, boards and commissions or political subdivisions of the state.
- 39. Requires the OAG to comply with statutory requirements relating to criminal history information.
- 40. Allows the OAG or the OAG's authorized representative to attend executive sessions, in the performance of any official duties, rather than only duties relating to special research requests, special audits, assignments designated by JLAC, performance audits and school district audits.
- 41. Allows the OAG, in the performance of official duties, to attend executive sessions of any entity subject to Arizona open meeting law, rather than only state agencies and school districts.
- 42. Requires officers of the state or a political subdivision to:
 - a) provide reasonable and needed facilities for OAG staff; and
 - b) make records available to OAG staff.
- 43. Requires the AG to supervise the prosecution of all individuals who violate statutory requirements for OAG access to executive sessions, records and information.
- 44. Classifies, as a class 2 misdemeanor, knowingly obstructing or misleading the OAG in the execution of the OAG's duties.

45. Requires the OAG and the OAG's authorized representatives, for the purpose of election integrity audits, to have access to:
- a) any personnel and data from a county recorder's office and any county elections department, ADOT and the SOS, including access to electronic data or data and property from a third party that the OAG deems necessary to perform election integrity audit duties, including voter registration data; and
 - b) polling places, voting centers and central counting centers.
46. Requires data required by the OAG for election integrity audits to be provided in the manner and format prescribed by the OAG.

Hand Count Audits

47. Allows, if an insufficient number of persons are provided by political parties, the hand count audit to be conducted with a sufficient number of persons that are available and arrive to perform the hand count who are registered with no political party designation or who are employees of the county recorder or other officer in charge of elections.

Voter Registration Collectors

48. Requires an unpaid person who collects more than 25 completed voter registration forms and a paid person who collects 1 or more registration forms within a calendar year to register with the SOS before soliciting, assisting with or collecting voter registration forms.
49. Requires the SOS to establish a procedure for registering paid or unpaid voter registration collectors, including registration applications, in the EPM and publish all information required for registration on the SOS's website.
50. Requires a registration application to require:
- a) the person's full name, residence address, telephone number and email address;
 - b) the name, address and telephone number of any entity or organization for which the person is volunteering or by whom the person is paid;
 - c) a statement that the person consents to the jurisdiction of Arizona courts in resolving any disputes concerning assisting in, soliciting or collecting voter registrations; and
 - d) an affidavit signed before a notary by the person that includes a prescribed declaration.
51. Requires the SOS's office to assign a unique identifier to each person who registers as an unpaid or paid voter registration collector
52. Requires a registered voter registration collector to place the collector's unique identifier on any voter registration form that the person solicits, assists with or collects.
53. Requires additional voter registration volunteers and paid or unpaid voter registration collectors who are required to register with the SOS to return or mail completed registration forms to the appropriate county recorder within five days after receipt of the registrations.

Miscellaneous

54. Makes technical and conforming changes.

55. Becomes effective on the general effective date.

Prepared by Senate Research

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